

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

AUGUSTINA C. AMALU, Individually
and as Next of Kin and Administrator of
the Estate of Ifeyinwa Stephanie Amalu,
Deceased,

Plaintiff,

v.

No. 15-1116

LSH TRANSPORT, LLC, *et al.*,

Defendants,

ODY UDEOZO and JOSEPHINE UDEOZO,
Individually and as Next of Kin and
Administrators of the Estate of Chinelo
Udeozo, Deceased,

Plaintiffs,

v.

No. 15-1117

LSH TRANSPORT, LLC, *et al.*,

Defendants,

JAMES HARTMANN and
GLENDA HARTMANN,

Plaintiffs,

v.

No. 15-1175

LSH TRANSPORT, LLC, *et al.*,

Defendants,

AUGUSTINA C. AMALU, Individually
and as Next of Kin and Administrator of
the Estate of Ifeyinwa Stephanie Amalu,
Deceased, and
ODY UDEOZO and JOSEPHINE UDEOZO,
Individually and as Next of Kin and
Administrators of the Estate of Chinelo
Udeozo, Deceased,

Plaintiffs,

v.

No. 15-1298

STEVENS TRANSPORT, INC.,

Defendant,

AUGUSTINA C. AMALU, Individually
and as Next of Kin and Administrator of
the Estate of Ifeyinwa Stephanie Amalu,
Deceased, and
ODY UDEOZO and JOSEPHINE UDEOZO,
Individually and as Next of Kin and
Administrators of the Estate of Chinelo
Udeozo, Deceased,

Plaintiffs,

v.

No. 16-1116

STEVENS TRANSPORT T.L., INC.,

Defendant.

ORDER DENYING AS MOOT DEFENDANT STEVENS TRANSPORT TL, INC.'S MOTION
TO DISMISS COMPLAINT

Pending before the Court is the June 24, 2016, motion of Defendant, Stevens Transport TL, Inc. ("Stevens TL"), to dismiss the original complaint filed against it by Plaintiffs Augustina Amalu, individually and as next of kin and administrator of the estate of Ifeyinwa Stephanie

Amalu, deceased, and Ody Udeozo and Josephine Udeozo, individually and as next of kin and administrators of the estate of Chinelo Udeozo, deceased. (D.E. 177.) Subsequently, on August 24, 2016, these Plaintiffs filed an amended and consolidated complaint. (D.E. 205.) When a plaintiff files an amended complaint, the new pleading supersedes all previous complaints and controls the case going forward. *See Parry v. Mohawk Motors of Mich., Inc.*, 236 F.3d 299, 306-07 (6th Cir. 2000). Accordingly, Stevens TL's motion to dismiss the superseded complaint is DENIED as moot. *See Beijing Fito Med. Co., Ltd. v. Wright Med. Tech., Inc.*, No. 2:15-cv-02258-JPM-tmp, 2016 WL 502109, at *1 (W.D. Tenn. Feb. 8, 2016) (where amended complaint had been filed, motion to dismiss original complaint rendered moot); *Ky. Press Ass'n, Inc. v. Ky.*, 355 F. Supp. 2d 853, 857 (E.D. Ky. 2005) (same).

IT IS SO ORDERED this 26th day of August 2016.

s/ J. DANIEL BREEN
CHIEF UNITED STATES DISTRICT JUDGE